

Before the Board of Zoning Adjustment, D. C.

Application No. 12071, of the Most Reverend William W. Baum, S.T.D., Archbishop of Washington, pursuant to Sub-section 8207.1 and 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.45 to permit construction of a community center building and for variance from the width requirements of an open court (Sub-section 3306.1) and the area requirements of a closed court (Sub-section 3306.1) in the R-4 District at the premises 320 21st Street, N. E., (Square 4558, Lots 814 and 815).

HEARING DATE: March 17, 1976

DECISION DATE: March 23, 1976

FINDINGS OF FACT:

1. The property is located in an R-4 District.
2. The applicant proposes to construct a community center building for St. Benedict the Moor Parish. The church presently has a church convent and school on the property. The proposed community center would contain facilities for use as a gymnasium, cafeteria and fund raising social hall.
3. The proposed building will be one-story in height, will contain approximately 13,6000 square feet of floor area and will be located north of the existing convent along the "D" Street side of the property.
4. The building will be available for use by the church as well as by other community groups, such as the Kingman Park Civic Association which currently meets in the church and by area residents for wedding receptions and other social functions. It is estimated that the church will use the building approximately 60 per cent of the time, and other groups will use it approximately 40 per cent of the time.
5. The church has approximately 1600 parishioners, many of whom reside in the neighborhood. The school has approximately 250 students, approximately 200 of whom reside in the area.
6. A church is a use permitted as a matter-of-right in all zone districts.

7. There will be no articles of commerce for sale other than those associated with church activities, which would be accessory to the church use and thus permitted.

8. There will be 103 parking spaces provided, while 102 are required by the regulations.

9. There will be a fee charged for rental of the building for use for social functions. There will be no charge for use of the facilities for meetings of community groups.

10. The property is in the immediate vicinity of RFK Stadium, Eastern High School and other non-residential uses. This area is already severely impacted by traffic to and from the stadium on days when there are events at the stadium.

11. The proposed building would be connected to the existing school and convent by a new canopy. This canopy creates two small open courts and one small closed court, as shown on the plat designated Exhibit "1 P.H." received from the Zoning Administrator. The open courts both have width of six (6) feet, where a ten foot minimum is required. The closed court has an area of 253 square feet, where 350 square feet are required.

12. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the proposed building is a community center within the meaning of the Zoning Regulations, that will serve the parishioners of the church who are part of the neighborhood and will also be available for use by other members of the community. The Board concludes that the use will not be objectionable because of noise or traffic. The Board concludes that the proposed building will be reasonably necessary and convenient to the neighborhood in which it will be located. The Board further concludes that the requested variances are area variances, the granting of which requires the showing of a practical difficulty. The Board concludes that such a difficulty exists, and that no adverse effects will occur if the variances are granted. It is therefore ordered that the application be GRANTED.

VOTE: 4-1 (Mr. Leonard L. McCants, Mrs. Ruby B. McZier, Mr. William F. McIntosh and Mr. William F. Harps to grant, Lilla Burt Cummings, Esq., to deny) on the special exception and 4-0 (Mrs. Ruby B. McZier, Mr. Leonard L. McCants, Mr. William S. Harps and Mr. William F. McIntosh to grant, Lilla Burt Cummings, Esq not voting because of her belief that the special exception should not have been granted) on the variances.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: Steven E. Sher
STEVEN E. SHER
Acting Secretary to the Board

FINAL DATE OF ORDER: APR 9 1976

THIS ORDER SHALL BE VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.